

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

TAMMY REAVES,)	
)	IC 99-027839
Claimant,)	IC 03-010637
v.)	
)	
SPEARS MANUFACTURING COMPANY, INC.,)	ORDER
)	
Employer,)	Filed
and)	September 6, 2005
)	
AMERICAN HOME ASSURANCE COMPANY,)	
)	
Surety,)	
and)	
)	
ZURICH AMERICAN INSURANCE COMPANY,)	
)	
Surety,)	
Defendants.)	
)	

Pursuant to Idaho Code § 72-717, Referee Douglas A. Donohue submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusions of law to the members of the Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant suffered an accident causing compensable injury on August 17, 1999. She became medically stable from this injury on August 28, 2000, and suffered no permanent impairment from it, and Home has paid all benefits related to it.

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2. Claimant suffered an accident causing compensable injury on or about July 9, 2003. She became medically stable from this injury on May 20, 2004.

3. Claimant is entitled to temporary disability for the relevant periods after July 9, 2003.

4. Claimant is entitled to medical care for the 2003 accident to the date of hearing.

5. As a result of the 2003 accident, Claimant suffered PPI of 22% and permanent disability rated at 40% of the whole person, inclusive of impairment.

6. Defendants failed to show any basis for apportionment of benefits.

7. Claimant failed to show she is entitled to attorney fees.

8. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this 6th day of September, 2005.

INDUSTRIAL COMMISSION

/s/
Thomas E. Limbaugh, Chairman

/s/
James F. Kile, Commissioner

/s/
R. D. Maynard, Commissioner

ATTEST:

/s/
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on 6th day of September, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following:

R. Jeffrey Stoker
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Alan K. Hull
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db

/s/_____